

REMARKS/ARGUMENTS

Upon entry of the present amendment, 1-10, 14-15, 22-31, and 34 will be pending. Claims 11-13, 16-21, and 32-33 will have been cancelled. Applicants' cancellation of these claims is done without prejudice or disclaimer of applicants' right to pursue the subject matter of the cancelled claims in an appropriate continuing application.

Claims 1-10, 14-15, 22-31, and 34 stand provisionally rejected under the judicially-created doctrine of obviousness-type double patenting over U.S. Patent Application Serial No. 09/717,645 in view of U.S. Patent 5,649,200 to Leblang et al.

Claims 1, 3-6, 8-10, 14, 22, 24-27, 29-31, and 34 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 5,649,200 to Leblang et al. in view of U.S. Patent 5,890,166 to Eisenberg et al.

Claims 2, 7, 15, 23, and 28 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 5,649,200 to Leblang et al. and U.S. Patent 5,890,166 to Eisenberg et al. in view of U.S. Patent 5,862,325 to Reed et al.

Reconsideration of the Office Action of March 23, 2003 is respectfully requested in view of this response.

Applicant respectfully requests that the present amendment after final be entered, since the amendment adds no new matter to the application, adds no new claims, raises no new issues, does not require further searching by the Examiner, addresses the issues raised by the Examiner, and places the application in condition for allowance. Applicants also respectfully submit that the present amendment after final is necessary to place the application in condition for allowance, and was not earlier presented due to a failure on the part of the undersigned to appreciate the need for such amendment until receipt of the final office action.

Non-statutory Double Patenting Rejection

Claims 1-10, 14-15, 22-31, and 34 stand rejected under the judicially-created doctrine of obviousness-type double patenting as allegedly being unpatentable over U.S. Patent Application Serial No. 09/717,645 in view of U.S. Patent 5,649,200 to Leblang et al. The

examiner contends that, although the conflicting claims are not identical, they are not patentably distinct from each other because the conflicting claims represent obvious variations of the invention recited in the claims of the Application Serial No. 09/717,645.

Applicants note that this is a provisional obviousness-type double patenting rejection, and respectfully defer their response to the merits of the rejection until the allegedly conflicting claims in one of the subject cases are allowed.

Claims 1-10, 14-15, 22-31, and 34

Claims 1, 3-6, 8-10, 14, 22, 24-27, 29-31, and 34 stand rejected under 35 U.S.C. § 103 as being anticipated by U.S. Patent 5,649,200 to Leblang et al. in view of U.S. Patent 5,890,166 to Eisenberg et al. Claims 2, 7, 15, 23, and 28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,649,200 to Leblang et al. and U.S. Patent 5,890,166 to Eisenberg et al. in view of U.S. Patent 5,862,325 to Reed et al.

Applicants respectfully disagree with, and traverse, the stated grounds for rejection. As described below, the claims recite various features that are neither taught nor suggested by the prior art. Applicants thus submit that all of the claims are novel and non-obvious over the prior art of record.

Examiner's Response to Arguments Regarding Claims 1-10, 14-15, 22-31, and 34

As the Examiner indicates at Page 12, Section (B) of the office action, Applicants submit that none of the 'view', 'configuration record' or 'derived object' of Leblang teach or suggest the link content data structure as limited by claim 1.

As clarified in the current amendment of claim 1, applicants submit that a link content data structure is created which comprises a link set reference field, an object reference field, and a start time field. This further clarifies that neither of Leblang's view, Leblang's configuration record, or Leblang's 'derived object' teach or suggest such a link content data structure.

With respect to the examiner's comments on whether an addition of an association occurs, the addition of an association of a project management object to a set of associated project management object is explicitly recited in the claim, as clarified by the amendment.

The project management object is identified by the object reference field of the link content data structure. The addition of an association between the link content data structure and the associated project management objects occurs when the link set reference field of the link content data structure is set to a value that refers to the link set data structure data structure.

The applicants have examined the entire Leblang reference and the specific portions thereof cited by the examiner, and do not find a teaching or suggestion of the limitations of the claims.

Claim 1

In order for Leblang to teach or suggest the limitations of claim 1, it is necessary to find a data structure in Leblang analogous to the “link content data structure” as claimed in the first clause of the claim (“creating a link content data structure”) and on which the actions in the further clauses are performed.

As clarified in the amendments to claim 1, an association of a project management object to a set of associated project management objects occurs when a link set reference field in a link content data structure is set to a value which refers to a link set data structure corresponding to the set of associated project management objects. The link content reference field, as claimed, contains two fields which make the association of a project management object to a set of associated project management objects (1) the link set reference field, which is set to a value which refers to the link set data structure corresponding to the set of associated project management objects, and (2) the object reference field, which is set to refer to the project management object for which an association is being added.

In their last response, Applicants discussed why neither the ‘view’, ‘configuration record’ or ‘derived object’ as discussed in Leblang can be used to teach the claimed limitations. Applicants appreciate the discussion of their previous response, in which the Examiner clarifies that the ‘configuration record’ in Leblang is being relied upon to teach the “link content data structure” of the claimed invention.

For the reasons discussed below and previously, Applicants respectfully disagree.

Claim 1 - “creating a link content data structure”

For the limitation of “creating a link content data structure”, the examiner refers to column 9, lines 8-56 of Leblang, and to Figure 23. Neither of these portions of Leblang discusses something which can be said to teach a link content data structure as claimed.

Column 9, lines 8-56, refers to a view, which is used to provide a work environment for a developer which allows the developer to access the appropriate versions of source files related to that project. (Leblang, column 8, line 66 through column 9, line 7). However, the analogy of the view in Leblang to the “link content data structure” of the invention is not sound. Leblang does not teach or suggest that views comprise a link set reference field, and object reference field, and a start time field. Leblang teaches that “typically, a view’s configuration is defined in terms of wildcards (file name patterns) and mnemonic names, not by naming specific versions.” (Leblang, column 9, lines 45-48). None of these correspond to portions of the link content data structure.

The examiner also refers to configuration records for this limitation by referring to Figure 23. Figure 23 shows a configuration record 532. The configuration record “acts as a derived objects ‘bill of materials’, including a wealth of useful information about what the derived object is made of and how it was created.” (Leblang, column 30, line 64 through column 31, line 1). While this may constitute an set of objects, there is no teaching or suggestion of a link set reference field, and object reference field, and a start time field in the configuration record (or of any analogous constituents) in the configuration record of Leblang. The inapplicability of reading the “configuration record” as teaching or suggesting a “link content data structure” is further discussed below.

Claim 1 - “adding an association of the project management object to said set of associated management objects by setting said link set reference field ... to a value that refers to a link set data structure corresponding to the set of associated project management objects” and “setting said object reference field in said link content data structure to refer to the project management object”

The examiner’s interpretation of Leblang analogizes the configuration record of Leblang with the link content data structure for the teaching or suggestion of this limitation, (Paragraph 7, page 5 of the final action (“an entry stored link content data structure, i.e. configuration record”)). For this to teach or suggest the claimed limitation there must be an

element of the configuration record which is set to a value that refers to a structure corresponding to the set of associated project management objects. However, no such element or association can be seen in Leblang.

The configuration record is a list of audit data and a set of pointers to the derived objects used in a build. (Leblang, column 30, lines 60-65). No discussion can be found in Leblang of a reference to a structure corresponding to a set of associated objects. As discussed in Leblang and shown in Figure 23, the only pointers in the configuration record 532 are pointers 530, each of which corresponds to only one derived object 500. This is contrary to the examiner's assertion that link 530 is "a link set data structure corresponding to more than one objects" and that some value in the configuration record is set to a value that refers to a link set data structure corresponding to the set of associated project management objects."

For these reasons, the section 102 rejection of claim 1 should be withdrawn.

Claims 2-5

Dependent claims 2-5 are dependent from and incorporate the elements of claim 1. These features are not taught or suggested by any of the prior art cited by the examiner. Thus, the section 103 rejections of claims 2-5 should be withdrawn.

With reference specifically to claim 5, the development issue data, bug data, project milestone and software specification files of claim 5 are not taught or suggested by Leblang. The "include header files or object code, meta-data and program source, release notes and scripts" cited by the examiner are different from these project management objects and can not be said to teach or suggest them.

Claims 6-10

With respect to claim 6, the examiner finds that Leblang discloses a computerized method for removing an association of a project management object from a set of associated project management objects, and teaches each limitation of the claim. The examiner refers specifically to the merge and check-in of Leblang, as seen in Figures 13-15 as teaching such a removal of an association. However, these figures and the related discussion do not deal with

Leblang's links 530, derived objects 500, configuration records 532 and it is unclear how these disparate parts of Leblang can be combined.

Claim 6 - "receiving an identifier for a link set corresponding to the set of associated project management objects"

With respect to "receiving an identifier for a link set corresponding to the set of associated project management objects", the examiner cites "link 530" and "derived object 500" from Leblang, with reference to Figures 22 and 23 of Leblang. Unfortunately, reference number 530 appears to have been used in Leblang to label two different concepts. In Figure 22, reference number 530 refers to a reference count which is set and then incremented. (Leblang column 32, lines 55-64). In Figure 23, reference number 530 refers to a "VOB database pointer 530." Applicants assume that when the examiner refers to "link 530", the reference is to the "VOB database pointer 530" from Figure 23, as the reference number 530 does not constitute a link.

However, VOB database pointer 530 is a single link, and therefore cannot correspond to "an identifier for a link set corresponding to the set of associated project management objects." As disclosed in Leblang, there is one VOB database pointer 530 for each derived object 500. Leblang, column 30, lines 63-65.

Similarly, the "derived object 500" is one object in Leblang, not a link set corresponding to a set of associated project management objects.

Thus, neither the VOB database pointer 530 of Leblang nor the derived objects 500 teach "an identifier for a link set corresponding to the set of associated project management objects" as is claimed. This element of claim 6 is neither taught nor suggested by Leblang, nor is it taught or suggested in Eisenberg.

Therefore, the elements of claim 6 are not taught or suggested by Leblang in view of Eisenberg. Dependent claims 7-10 are dependent from and incorporate the elements of claim 6. As discussed, these features are not taught or suggested by any of the prior art cited by the examiner. Thus, the section 103 rejections of claims 2-5 should be withdrawn. Additionally, with respect to claim 10, please see the above remarks concerning claim 5.

Claims 14-15

Claim 14 is directed to a data structure comprising: (1) a first field comprising a reference to a link set data structure corresponding to a set of associated project management objects; (2) a second field comprising a start time; (3) a third field comprising an end time; (4) a fourth field comprising a reference to a target project management object; and (5) wherein the second and third field define a range of time that the target project management object is associated with the set of associated project management objects.

The examiner finds that either the first field of the claimed data structure or the data structure as a whole corresponds to entries 523 and link 530 in Figure 23 of Leblang. Applicants find no entries 523 in Figure 23; it is assumed the examiner is referring to the config rec 532 in Figure 23.

It is unclear whether the link set data structure or the data structure as a whole is analogized to the configuration record. If the analogy is to the link set data structure, then a data structure would have to be taught or suggested by Leblang which links to a configuration record. Since Leblang discloses no data structure with a field referring to a configuration record, there is no analogous data structure in Leblang. A data structure would also need to include a separate reference to a target project management object. No data structure which includes a reference to a configuration record and to a project management object exists in Leblang. With reference to the claimed second and third fields, no attachment of a start or end time or versioning of configuration records exists in Leblang or in Eisenberg, and such an analogy must fail.

If the data structure as a whole is being held by the examiner as being taught or suggested by configuration records 532, applicants again respectfully disagree. No reference is made in a configuration record to a data structure which corresponds to a set of associated project management objects.

There is no indication in Leblang that a data structure referring to a configuration record would have a range of times during which a target project management object is associated with the configuration record. In fact, Leblang indicates that a configuration record describes a bill of materials for a derived object, and there is no suggestion that such a derived object would change over time.

While the examiner discusses the use of time fields in Eisenberg to specify start or end times of a project management object, such time fields do not appear in Leblang or

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Eisenberg in a configuration record or data structure which includes a reference to a configuration record.

Claims 22-31

Claims 22-31 and have been rejected by the examiner by reference to the rejections of claims 1-6 and 11, and the Applicants reiterate the arguments presented with reference to those claims above, and maintain that the section 103 rejection of claims 22-34 should be withdrawn.

Conclusion

For all of the foregoing reasons, applicants respectfully submit that this case is now in condition for allowance, and an early notice of allowance is earnestly solicited.

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